

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 48

FIRST SESSION OF THE FORTY-FIRST PARLIAMENT

WEDNESDAY, 17 NOVEMBER 2021

1. Meeting of Assembly

The Assembly met at 12.00 noon pursuant to adjournment.

The Speaker took the Chair.

An Acknowledgement of Country and Prayers were read.

2. Paper

The following paper was presented and ordered to lie upon the Table of the House –

By the Clerk –

Auditor General, Office of the – Water Corporation: Management of Water Pipes –
Follow Up, Report 7, 17 November 2021 (808).

3. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Culture and the Arts on the Fringe World Festival 2022.

The Minister for Tourism on the 2021 Perth Airport WA Tourism Awards Gala Dinner.

The Minister for Transport on the appointment of Peter Woronzow as Director General of the Department of Transport.

The Minister for Sport and Recreation on the tenth anniversary of the KidSport Program.

The Minister for Sport and Recreation on the 45th anniversary of the Ern Halliday Recreation Camp.

The Minister for Commerce on the release of the Building and Construction Industry (Security of Payment) Regulations 2022.

4. Suspension of Standing Orders – Precedence of Private Members' Business

The Leader of the House, pursuant to notice, moved,

That so much of the Standing Orders be suspended as is necessary to enable Private Members' Business to have priority from 4.00 pm to 8.00 pm on Wednesday, 17 November 2021.

Debate ensued.

Question put and passed.

5. Aboriginal Cultural Heritage Bill 2021

The Minister for Finance, pursuant to notice, moved,

That a bill for “An Act –

- about Aboriginal cultural heritage; and
- to repeal the *Aboriginal Heritage Act 1972* and the *Aboriginal Heritage (Marandoo) Act 1992*; and
- to make consequential and other amendments to various Acts; and
- for related purposes.” be introduced and read a first time.

Question put and passed.

The Minister for Finance presented an explanatory memorandum and bill read a first time.

The Minister for Finance moved, That the bill be now read a second time.

Mr R.S. Love moved, That the debate be adjourned.

Question put and passed.

6. Aboriginal Cultural Heritage Amendment Bill 2021

The Minister for Finance, pursuant to notice, moved,

That a bill for “An Act to amend the *Aboriginal Cultural Heritage Act 2021*.” be introduced and read a first time.

Question put and passed.

The Minister for Finance presented an explanatory memorandum and bill read a first time.

The Minister for Finance moved, That the bill be now read a second time.

Mr P.J. Rundle moved, That the debate be adjourned.

Question put and passed.

7. Messages from the Governor

Messages from His Excellency the Governor were reported recommending that appropriations be made for the purposes of the following bills –

Soil and Land Conservation Amendment Bill 2021 (Message No. 27).

Aboriginal Cultural Heritage Bill 2021 (Message No. 28).

8. Suspension of Standing Orders – Passage of Bills

The Leader of the House, pursuant to notice, moved,

That so much of the Standing Orders be suspended as is necessary to enable the Aboriginal Cultural Heritage Bill 2021 and the Aboriginal Cultural Heritage Amendment Bill 2021 to:

- a) proceed forthwith through all remaining stages without delay between the stages; and
- b) be debated cognately at the second reading stage, with the Aboriginal Cultural Heritage Bill 2021 to be the principal Bill.

Debate ensued.

Question put.

The Assembly divided.

Ayes (44)

Mr S.N. Aubrey	Mr H.T. Jones	Ms R. Saffioti
Mr G. Baker	Mr D.J. Kelly	Ms A. Sanderson
Ms H.M. Beazley	Ms A.E. Kent	Mr D.A.E. Scaife
Dr A.D. Buti	Dr J. Krishnan	Ms J.J. Shaw
Mr J.N. Carey	Mr P. Lilburne	Ms R.S. Stephens
Ms C.M. Collins	Mr M. McGowan	Mrs J.M.C. Stojkovski
Ms L. Dalton	Ms S.F. McGurk	Dr K. Stratton
Ms D.G. D'Anna	Mr D.R. Michael	Mr C.J. Tallentire
Mr M.J. Folkard	Mr S.A. Millman	Mr D.A. Templeman
Ms K.E. Giddens	Mr Y. Mubarakai	Mr P.C. Tinley
Ms E.L. Hamilton	Mrs L.M. O'Malley	Ms C.M. Tonkin
Ms M.J. Hammat	Mr P. Papalia	Mr R.R. Whitby
Ms J.L. Hanns	Mr S.J. Price	Ms S.E. Winton
Mr T.J. Healy	Mr D.T. Punch	Ms C.M. Rowe (<i>Teller</i>)
Mr W.J. Johnston	Mr J.R. Quigley	

Noes (6)

Mr V.A. Catania	Dr D.J. Honey	Ms L. Mettam
Ms M.J. Davies	Mr R.S. Love	Mr P.J. Rundle (<i>Teller</i>)

Question thus passed.

9. Aboriginal Cultural Heritage Bill 2021

Aboriginal Cultural Heritage Amendment Bill 2021

Pursuant to the foregoing motion, the Order of the Day for the resumption of the cognate debate upon the second reading of the bills was read.

Debate resumed.

Debate interrupted by the Chair (Mr V.A. Catania speaking) and adjourned until a later stage of the sitting.

10. Questions

Questions without Notice were taken.

Questions on Notice Nos 321 to 324 were asked.

11. Additional Information

The Attorney General provided additional information relating to Question without Notice No. 783 from Ms M.J. Davies.

12. Constitutional and Electoral Legislation Amendment (Electoral Equality) Bill 2021

Message No. 26 dated 17 November 2021 from the Legislative Council was reported agreeing to the bill without amendment.

13. Variation to the Order of Business

Ordered, That consideration of the Order of the Day for the cognate debate upon the second reading of the Aboriginal Cultural Heritage Bill 2021 and the Aboriginal Cultural Heritage Amendment Bill 2021 be resumed.

14. Aboriginal Cultural Heritage Bill 2021**Aboriginal Cultural Heritage Amendment Bill 2021**

The Order of the Day for the resumption of the cognate debate upon the second reading of the bills was read.

Debate resumed.

Debate interrupted by the Chair (Dr D.J. Honey speaking) and adjourned until a later stage of the sitting.

15. Variation to the Order of Business

Ordered, That Private Members' Business Notices of Motion Nos 11 and 10 be next considered.

16. The Planning Portfolio

Dr D.J. Honey, pursuant to notice, moved,

That this House condemns the Minister for Planning for failures in the planning portfolio including implementing the State Development Assessment Unit process that routinely rushes through developer approvals that ignores the concerns of local communities.

Debate ensued.

Ms C.M. Rowe moved, That the debate be adjourned.

Question put and passed.

17. State Education System

Mr P.J. Rundle, pursuant to notice, moved,

That this House condemns the Government's lack of planning and management of the State education system resulting in staff shortages, and unsafe conditions for staff and students.

Debate ensued.

Debate interrupted by the Chair (Ms J.L. Hanns speaking) and adjourned until a later stage of the sitting.

18. Variation to the Order of Business

Ordered, That consideration of the Order of the Day for the cognate debate upon the second reading of the Aboriginal Cultural Heritage Bill 2021 and the Aboriginal Cultural Heritage Amendment Bill 2021 be resumed.

19. Aboriginal Cultural Heritage Bill 2021**Aboriginal Cultural Heritage Amendment Bill 2021**

The Order of the Day for the resumption of the cognate debate upon the second reading of the bills was read.

Debate resumed.

Question put and passed.

Aboriginal Cultural Heritage Bill 2021 read a second time.

CONSIDERATION IN DETAIL

Clauses 1 to 24 agreed to.

Clause 25.

The Minister for Mines and Petroleum moved, That the debate be adjourned.

Question put and passed.

20. Adjournment

The Minister for Mines and Petroleum moved, That the House do now adjourn.

Question put and passed.

The Assembly adjourned accordingly at 11.58 pm until Thursday, 18 November 2021 at 9.00 am.

Members present during any part of the day's proceedings – All the members except Ms L.L. Baker, Mrs R.M.J. Clarke, Ms E.J. Kelsbie, Mr K.J.J. Michel and Ms L.A. Munday.

KIRSTEN M. ROBINSON
Clerk of the Legislative Assembly

HON. MICHELLE H. ROBERTS
Speaker of the Legislative Assembly